

Camp No. 91, Spanish-American War Veterans, of Philadelphia, Pa., favoring the passage of a bill equalizing the allowance and pay of the chaplains in the Army and Navy—to the Committee on Naval Affairs.

By Mr. GIBSON: Petition of James Donohoo for restoration of his name to the pension roll—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Petitions of Peter Egli, Henry W. A. Wimberg, and others, favoring House bill 178—to the Committee on Ways and Means.

By Mr. SCARBOROUGH: Petition of the Chamber of Commerce of Columbia, S. C., for survey of water route for river navigation from the inland to Charleston, S. C., by way of the Santee and Cooper rivers—to the Committee on Rivers and Harbors.

By Mr. HENRY C. SMITH: Papers to accompany House bill for the relief of Anna Wendell Miller—to the Committee on Private Land Claims.

By Mr. SPERRY: Resolutions of Typographical Union No. 47, of New Haven, Conn., for the repeal of the desert-land law—to the Committee on the Public Lands.

By Mr. STEWART of New York: Petition of Cigar Makers' Union No. 112, of Oneonta, N. Y., favoring House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on Ways and Means.

By Mr. YOUNG: Petition of the Maritime Association of the Port of New York, asking that sail vessels be exempted from the compulsory employment of State pilots under the safeguards required in respect to steam vessels—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Sunday-school board of the Reformed Church of Philadelphia, Pa., in favor of the post-check currency bills—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Brotherhood of Railroad Trainmen of Pennsylvania, urging the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of Grand Council, Royal Arcanum, of Pennsylvania, favoring an amendment to the Post-Office appropriation bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Mount Moriah Lodge, No. 319, Brotherhood of Locomotive Firemen, Philadelphia, Pa., in favor of the passage of the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

## SENATE.

WEDNESDAY, February 18, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. The Chair hears none.

### POTOMAC RIVER FLATS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting the final report of the supreme court of the District of Columbia under section 4 of the act of August 5, 1886, entitled "An act to provide for protecting the interests of the United States in the Potomac River Flats in the District of Columbia," together with a letter sent to the Secretary of the Treasury suggesting the form of a proposed appropriation for the payment of amounts found due the defendants by the court; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### LIST OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, inclosing a copy of Senate Document No. 414, Fifty-seventh Congress, first session, containing a list of claims certified by the accounting officers of the Treasury Department in favor of certain insurance companies of New York, for which no provision for payment has been made; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed

Mr. SHERMAN, Mr. CURTIS, and Mr. LITTLE managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 16734) to provide an American register for the steamer *Beaumont*; in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented the memorial of Mary L. Page, of Olympia, Wash., and the memorial of Benjamin Currey and sundry other citizens of Olympia, Wash., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

Mr. BEVERIDGE presented a petition of Local Division No. 186, Amalgamated Association of Street Railway Employees, of Anderson, Ind., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. GAMBLE presented the petition of Rev. H. H. Hewitt, of Elkton, S. Dak., praying for the enactment of legislation to recognize and promote the efficiency of chaplains in the Army; which was referred to the Committee on Military Affairs.

He also presented the petition of H. C. Sessions & Son, of Sioux Falls, S. Dak., praying for the adoption of certain amendments to the Post-Office appropriation bill relative to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented memorials of Charles Lerchen, of Denver, Colo.; of the Humane Society of Denver, Colo., and of the American Society for the Prevention of Cruelty to Animals, of New York City, N. Y., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

Mr. BATE presented the petition of Anna H. Allen, of Davidson County, Tenn., praying that she be reimbursed for certain property used and occupied by the Army during the war of the rebellion; which was referred to the Committee on Claims.

Mr. CARMACK presented a petition of sundry citizens of Kenton, Tenn., praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which was referred to the Committee on Interstate Commerce.

Mr. FAIRBANKS presented a petition of W. H. Paige & Co. and 10 other citizens of Terre Haute, Ind., praying for the passage of the so-called immigration bill; which was ordered to lie on the table.

He also presented a petition of Local Lodge No. 218, International Association of Machinists, of South Bend, Ind., and a petition of Local Division No. 186, Amalgamated Association of Street Railway Employees, of Anderson, Ind., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the American Chemical Company, of Indianapolis, Ind., praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which was ordered to lie on the table.

He also presented a petition of William Hugo Lodge, No. 166, Brotherhood of Locomotive Firemen, of Huntington, Ind., praying for the enactment of legislation relative to the running of engines on railway trains; which was referred to the Committee on Railroads.

He also presented petitions of J. Crouch & Son, of Lafayette; of J. Shannon Nave, of Attica; of Hanley & Weaver, of Winamac, and of H. & H. Wolf, of Wabash, all in the State of Indiana, praying for the enactment of legislation to regulate the importation of breeding animals; which were ordered to lie on the table.

He also presented a petition of the Franklin County Bar Association, of Columbus, Ohio, praying for the establishment of a laboratory for the study of the criminal, pauper, and defective classes; which was ordered to lie on the table.

He also presented the petition of J. P. Goodhart & Co., of Cincinnati, Ohio, praying for the enactment of legislation providing for the issuance and circulation of national-bank notes; which was ordered to lie on the table.

He also presented a memorial of the health committee of the Woman's Municipal League, of New York City, N. Y., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which was referred to the Committee on Interstate Commerce.

### REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Foreign Relations, reported an amendment proposing to appropriate \$12.50 to pay the estate of Solomon Hirsch, deceased, late United States minister to Turkey, for contingent expenses, foreign missions; \$63.65 for salaries of diplomatic officers while receiving instructions and in

transit, 1898, and \$7.04 for steam launch for legation at Constantinople, 1892, intended to be proposed to the sundry civil appropriation bill, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15842) granting a pension to Mary H. Talcott;  
A bill (H. R. 13881) granting a pension to William M. Wilson;  
A bill (H. R. 15362) granting an increase of pension to Grace Harrington;

A bill (H. R. 15038) granting an increase of pension to Lucy T. Churchill;

A bill (H. R. 12090) granting a pension to Arvilla N. Stocker;  
A bill (H. R. 6442) granting an increase of pension to Sarah E. Gifford;

A bill (H. R. 15440) granting an increase of pension to John Fullerton; and  
A bill (H. R. 17298) granting an increase of pension to Clara E. Smith.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely.

A bill (H. R. 1624) granting a pension to James Allen; and  
A bill (H. R. 8573) granting a pension to William McDaniel.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 7244) granting an increase of pension to Mary Lucetta Arnold, reported it with an amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14758) granting an increase of pension to Mary A. Talbott;

A bill (H. R. 15533) granting an increase of pension to William H. France;

A bill (H. R. 17305) granting a pension to Philander H. Graves;  
A bill (H. R. 6969) granting a pension to Visa C. Morrill; and  
A bill (H. R. 14788) granting an increase of pension to Frank E. Hills.

Mr. FOSTER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14091) granting a pension to Charles A. Warrick;  
A bill (H. R. 14235) granting an increase of pension to George White; and

A bill (H. R. 15186) granting an increase of pension to Isaac J. Nichols.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8314) granting an increase of pension to Joseph A. Kauffman;

A bill (H. R. 2913) granting a pension to Catharine A. Sawdy; and

A bill (H. R. 2911) granting a pension to Charles M. Walker.

Mr. GALLINGER, from the Committee on the District of Columbia, reported a bill (S. 7369) to authorize street railway companies in the District of Columbia to convey small freight, express matter, and so forth; which was read twice by its title.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER. I move that the bill (S. 6093) to authorize street-railway companies in the District of Columbia to convey small freight, express matter, etc., being Order of Business 2587 on the Calendar, be indefinitely postponed, and that the bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (H. R. 8085) granting an increase of pension to David K. Wardwell, reported it without amendment, and submitted a report thereon.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15528) granting an increase of pension to John C. Williams; and

A bill (H. R. 17179) granting an increase of pension to Christopher G. Divers.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 11958) granting a pension to Henry H. Windes, reported it with an amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16857) granting an increase of pension to Oliver W. Kile;

A bill (H. R. 13046) granting an increase of pension to Joseph H. Ludlum;

A bill (H. R. 15696) granting an increase of pension to Milton D. Wells;

A bill (H. R. 15735) granting an increase of pension to John H. Wheeler; and

A bill (H. R. 14263) granting an increase of pension to Frederick Journal.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11122) granting an increase of pension to John W. Copley; and

A bill (H. R. 10922) granting an increase of pension to Joseph Feldhausen.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 3503) granting an increase of pension to Edward H. Brady, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 9799) granting an increase of pension to Mary Murphy; and

A bill (H. R. 5010) granting an increase of pension to James W. Pace.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (H. R. 13711) granting a pension to Simon M. Yates, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (H. R. 1488) for the relief of T. A. Woodress, reported it without amendment.

He also, from the same committee, to whom was referred the amendment submitted by Mr. NELSON on the 14th instant, proposing to appropriate \$4,926.67 for payment to the owners of the Norwegian steamship *Nicaragua* for damage by reason of the rescue of an American citizen and the consequent quarantine of the ship at Mobile, Ala., intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. MORGAN. I will inquire whether the Senator from Illinois [Mr. CULLOM], the chairman of the Committee on Foreign Relations, has made a report on Senate joint resolution 163?

The PRESIDENT pro tempore. That report has not been made.

Mr. MORGAN. Mr. President, I rise to a parliamentary inquiry.

Mr. CULLOM. I was a little in doubt whether the joint resolution should be reported in open or executive session, but I will report it in legislative session. I report the joint resolution adversely from the Committee on Foreign Relations.

The PRESIDENT pro tempore. The joint resolution will be stated.

The SECRETARY. A joint resolution (S. R. 163) to preserve and enforce the act approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans."

Mr. MORGAN. I desire to file a minority report upon the joint resolution. I have not yet prepared it.

The PRESIDENT pro tempore. The Senator from Alabama desires to have the joint resolution go to the Calendar instead of being indefinitely postponed?

Mr. MORGAN. Yes.

The PRESIDENT pro tempore. The joint resolution will be placed on the Calendar with the adverse report, and the Senator from Alabama will later on file views of the minority.

Mr. MASON, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 16990) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1904, and for other purposes, reported it with amendments.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1257) granting an increase of pension to James F. Campbell;

A bill (H. R. 17303) granting an increase of pension to Abraham W. Huffman;

A bill (H. R. 12611) granting a pension to Alexander J. Thomson; and



A bill (H. R. 1238) granting a pension to Margaret A. Stuart. Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 7247) for the relief of certain homestead settlers in the State of Alabama on lands which have been recovered or which may hereafter be recovered in the courts by the grantees of certain railroad companies of that State, reported it with an amendment.

Mr. ELKINS, from the Committee on Commerce, reported an amendment proposing to appropriate \$90,000 for constructing, equipping, and outfitting, complete for service, a first-class steel steam light vessel with steam fog signal at Healds Bank light vessel, Texas, intended to be proposed to the sundry civil appropriation bill, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

#### RECEIPTS AND EXPENDITURES IN CUBA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States; 1,000 copies for the use of the House of Representatives, 750 copies for the use of the Senate, and 250 copies for the use of the War Department.

#### CIVIL ORDERS IN CUBA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed in English and Spanish 1,700 copies of the civil orders issued during the occupation of Cuba by the United States; 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 200 copies for the use of the War Department.

#### CUBAN CONSTITUTIONAL CONVENTION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 3,000 copies of the English translation of the proceedings of the Cuban constitutional convention; 1,700 copies for the use of the House of Representatives, 1,200 copies for the use of the Senate, and 100 copies for the use of the War Department.

#### EMPLOYEES AT MALTBY BUILDING.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. GALLINGER on the 11th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved.* That the engineer at the Maltby Building be paid at the rate of \$1,440 per annum and the three firemen at the rate of \$1,000 each per annum; and that the Sergeant-at-Arms of the Senate be, and he hereby is, authorized and directed to appoint a skilled laborer at the rate of \$800 per annum; the above changes to take effect on the 1st day of July, 1903.

#### MESSANGER FOR COMMITTEE ON COMMERCE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PERKINS on the 10th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved.* That the Committee on Commerce be, and it is hereby, authorized to employ a messenger, at an annual salary of \$1,440, to be paid from the contingent fund of the Senate until otherwise provided for by law.

#### DESTRUCTION OF USELESS INVOICES.

Mr. CULLOM. I am directed by the Committee on Foreign Relations to report a short bill authorizing the Secretary of State to destroy certain invoices, and I ask to have it immediately considered.

The bill (S. 7363) to permit the Secretary of State to cause the destruction of invoices of merchandise exported to the United States which have been on file in the consular offices for more than five years was read the first time by its title, and the second time at length, as follows:

*Be it enacted, etc.,* That the Secretary of State is authorized to cause, from time to time, the destruction of invoices that have been filed in the consular offices for a period of more than five years.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BANK OF COLFAX, IOWA.

Mr. STEWART. I am instructed by the Committee on Claims, to whom was referred the bill (H. R. 13257) to refund penalty to the Bank of Colfax, Iowa, to report it favorably without amendment and recommend its passage. It is a perfectly just measure and involves only \$75. I ask for its present consideration.

The Secretary read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to refund to the Bank of Colfax, Iowa, the sum of \$75, penalty collected by reason of delay in the receipt of special tax.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. LODGE. I desire to say that I shall make no objection to this bill, as it has been read, but I shall object to any other interruption of the routine morning business.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FORT SMITH RESERVATION LANDS.

Mr. BACON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 15595) confirming and ceding jurisdiction to the State of Arkansas over certain lands formerly in the Fort Smith Reservation in said State, and asserting and retaining Federal jurisdiction over certain other lands in said reservation, to report it without amendment, and I ask for its present consideration.

Mr. LODGE. I object to unanimous consent until the morning business is concluded.

The PRESIDENT pro tempore. Objection is made.

#### ESTATE OF SOLOMON HIRSCH, DECEASED.

Mr. BURTON. Yesterday I submitted for the Senator from Oregon [Mr. MITCHELL] an amendment proposing to make a payment to the estate of Solomon Hirsch, deceased, intended to be proposed to the sundry civil appropriation bill, and it was referred to the Committee on Appropriations. I find, upon inquiry, that it should have gone to the Committee on Foreign Relations. Therefore I ask that that change of reference be made.

Mr. CULLOM. I will state to the Senator from Kansas that the same amendment was acted upon by the Committee on Foreign Relations this morning, and it has been favorably reported by me and referred to the Committee on Appropriations.

Mr. BURTON. Very well.

#### JOHN S. WHITLEGE.

Mr. DEBOE. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 1605) granting a pension to John S. Whitlege, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Whitlege, late of Company F, Twenty-eighth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. BURROWS introduced a bill (S. 7364) to pay to certain Pottawatomie Indians of Michigan unpaid annuities under treaties made with them; which was read twice by its title, and, with the accompanying memorial, which was ordered to be printed, referred to the Committee on Indian Affairs.

Mr. GAMBLE introduced a bill (S. 7365) for the relief of Levi Carnrike; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PENROSE introduced a bill (S. 7366) for the relief of Charles H. Stockley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 7367) authorizing the Secretary of War to issue a certificate of muster to Adolph F. Hitchler; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 7368) to incorporate the American National Institute (Prix de Paris) at Paris, France; which was read twice by its title, and, with the accompanying paper, which was ordered to be printed, referred to the Committee on Foreign Relations.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. BURROWS submitted an amendment proposing to appropriate \$125,000 for Rock of Ages light and fog-signal station, Lake Superior, Michigan, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate

\$75,000 for a light-house tender for St. Marys River, Michigan; \$25,000 for Middle Island light and fog-signal station, Lake Huron, Michigan, and \$54,100 for repairs and reconstruction of Spectacle Reef light station, Lake Huron, Michigan, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TILLMAN submitted an amendment proposing to appropriate \$50,000 for the construction of a new Freedmen's Hospital building and accessories on the ground now occupied by the Freedmen's Hospital, in the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HARRIS submitted an amendment proposing to appropriate an additional \$600 for completion of chaplain's quarters, \$5,000 additional for combination barracks, and \$1,600 additional for headquarters building, all at the Western Branch of the National Home for Disabled Volunteer Soldiers, at Leavenworth, Kans., said sums to be immediately available, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment relative to the adjustment and settlement of the accounts of the Alaska Commercial Company, the North American Transportation and Trading Company, and the Alaska Exploration Company for supplies furnished and services rendered natives of Alaska during an epidemic of disease over that country in 1900, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate \$74.40 to pay Sidney L. Griffin for leave of absence earned during his term of service at the Government Printing Office from December 7, 1891, to May 19, 1894, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Printing.

He also submitted an amendment authorizing the appointment of William Crawford, of Philadelphia, Pa., as an assistant engineer with the rank of lieutenant, junior grade, on the retired list of the Navy, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. HALE submitted an amendment proposing to appropriate \$100,000 for necessary expenditures incident to the occupation and utilization of the naval station at Guantanamo, Cuba, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$25 for cost of repairing injuries to dwelling house of E. M. Ferguson by reason of mortar practice at Fort H. G. Wright, N. Y., on August 23, 1902; and \$3,806.72 for damages to private property by gun firing and mortar practice at Fort Preble, Me., Fort Winthrop, Mass., and Fort Hamilton, N. Y., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. CULLOM (for Mr. PROCTOR) submitted an amendment proposing to appropriate \$135,000 for the purchase of land for the enlargement of the military post at Fort Totten, at Willets Point, Long Island, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment proposing to appropriate \$120,000 for the establishment of a military post at or near Indianapolis, Ind., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CULBERSON submitted an amendment proposing to appropriate \$90,000 for establishing a light vessel at Healds Bank off Galveston Harbor, Texas, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MCCOMAS submitted an amendment proposing to increase the appropriation for the purchase or construction of two launches for use at the fish-cultural stations at Gloucester, Mass., and Battery Island, Maryland, from \$2,000 to \$4,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$5,000 for the erection of an addition to the quarters now occupied by the subtreasury at Baltimore, Md., etc., intended to be proposed by him to the sundry civil appropriation bill; which

was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$3,303.09, the amount found to be due the Chesapeake Bank, of Baltimore, Md., by the Commissioner of Internal Revenue, under the act of Congress approved February 28, 1901, for taxes illegally paid, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. PETTUS submitted an amendment proposing to extend the time fixed in section 6 of the act of Congress approved March 3, 1899, relative to the reimbursement to the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the war with Spain, to January 1, 1905, and also authorizing the accounting officers of the Treasury Department, on application of the governor or other duly authorized officer or agent of the State or Territory made on or before the 1st day of January, 1905, to reconsider and audit anew any claim or item of a claim heretofore presented to the Treasury Department under the provisions of the act approved July 8, 1898, providing for the reimbursement to the States and Territories for expenses incurred in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the war with Spain, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McLAURIN of Mississippi submitted an amendment proposing to appropriate \$50,000 to enable the Secretary of War, through the commissioners of the Shiloh National Military Park, to construct a gravel road from that park to the city of Corinth, Miss., etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PUBLIC BUILDINGS.

Mr. KEAN submitted an amendment intended to be proposed by him to the bill (H. R. 17422) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. MCCOMAS submitted an amendment intended to be proposed by him to the bill (H. R. 17422) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### GOVERNMENT OF THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That 500 copies of the document on the establishment and government of the District of Columbia be printed for the use of the Senate Committee on the District of Columbia.

Mr. COCKRELL. Will the cost exceed the limit of \$500?

Mr. GALLINGER. It will cost a small amount, I will say to the Senator. The plates are at the Printing Office.

The resolution was considered by unanimous consent, and agreed to.

#### STATEHOOD BILL.

Mr. QUAY. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Whereas House bill 12543, to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States, has been under discussion in the Senate since the 10th day of December last, and must fail unless voted upon at an early date:

*Resolved*, That it is the sense of the Senate that by unanimous consent a date and hour prior to the 2d of March next should be fixed for a final vote upon the bill and all amendments that are pending or may be offered thereto.

Mr. ALDRICH. Let the resolution go over under the rule.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

#### ELMER E. FORESHAY.

Mr. CULLOM. Mr. President—

The PRESIDENT pro tempore. The Chair lays before the Senate—

Mr. QUAY. Mr. President, I ask the Chair to lay before the Senate the resolution I offered yesterday.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.



The Secretary read the resolution submitted on the 16th instant by Mr. DUBOIS, as follows:

*Resolved by the Senate of the United States of America in Congress assembled, That the Civil Service Commission is hereby directed to furnish to the United States Senate a statement of the charges and evidence on account of which Elmer E. Foreshay was dismissed from the surveyor-general's office of Idaho. Also, whether under the ruling of the civil service he is eligible to any other position in the Government service.*

#### STATEHOOD BILL.

The PRESIDENT pro tempore. The Chair will withdraw for the present the resolution which has just been read, and lay before the Senate the resolution submitted by the Senator from Pennsylvania [Mr. QUAY], coming over from yesterday.

The resolution submitted yesterday by Mr. QUAY was read, as follows:

Whereas the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States has been under discussion in the Senate since the 10th day of December last, and must fall unless voted upon at an early date:

*Resolved, That it is the sense of the Senate that by unanimous consent a date and hour prior to the 2d of March next should be fixed for a final vote upon the bill and all amendments that are pending or may be offered thereto.*

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

Mr. SPOONER. Mr. President, I doubt very much if Senators who examine carefully the resolution which was introduced a day or two ago, or this resolution, will care to vote for it. The resolution introduced yesterday or day before yesterday is really a resolution inviting a majority of the Senate to vote for a cloture rule. The Senator from Pennsylvania disclaims that purpose, but it is impossible for him to escape the conclusion that that would be its effect.

Why is it that the Senator, with a majority of the Senate back of him, as he claims (and I think the Senator is not likely to be mistaken in his opinion as to whether he has a majority back of him in the Senate or anywhere else), can not bring or has not been able to bring this bill to a vote? It is because under the rules of the Senate a single objection can prevent a vote as long as there is a desire on the part of members of the Senate to debate the bill. Now, that may be an unhappy situation. Some Senators think it is. Other Senators think in the long run and taking it by and large it is not. I am one of the latter.

The Senator's proposition was that a majority of the Senate should say that a day ought to be fixed before the end of this Congress for taking this vote. That could only be done by a change of the rules.

Mr. QUAY. By unanimous consent.

Mr. SPOONER. That could only be done by a change of the rules.

Mr. QUAY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield?

Mr. SPOONER. Yes; I yield.

Mr. QUAY. I desire to say that I stated distinctly at the time that there was no intention of pushing a cloture upon the resolution; that the only method by which a vote could be reached was by unanimous consent. I stated that yesterday, and I amended the resolution to meet the objection of the Senator from Wisconsin, and it is that resolution which is now before the Senate.

Mr. SPOONER. I am discussing the other resolution.

Mr. QUAY. I suggest to the Senator that he had better discuss the one now pending.

Mr. SPOONER. I discuss what I choose, when I have the floor, without the consent of the Senator from Pennsylvania.

Mr. QUAY. All right; the Senator can discuss what he pleases.

Mr. SPOONER. I will not be told what I had better discuss.

Mr. QUAY. Then the Senator will accomplish no purpose.

Mr. SPOONER. I will accomplish what I want to accomplish, and I will not be long about it, either, for I am not speaking for the purpose of obstruction.

No matter what the Senator intended by his resolution, we are to judge by the resolution itself what is involved in it. He asked the Senate by a majority vote to declare that a time should be fixed before the end of this session for taking a vote. That could not possibly be done without a change of the rule. It would involve, of course, a cloture; and it amounted to a proposition that in the judgment of a majority of the Senate there should be a cloture.

There was a time when I was in favor of a cloture. I have been a member of this body now for twelve years. I have been very constant in my attendance upon its sessions; I have been somewhat active in all controverted matters which have been before the Senate. I have seen times when members of this body, impelled, not by partisanship, but only by the strongest possible motives of conscience, felt constrained to resist the passage of measures which they thought were unconstitutional, or which they thought, if constitutional and passed, would be subversive of great public interests.

I am frank to admit that years ago, when I was first a member of the Senate and a struggle of that kind came, I was very restive under it. I thought that a minority ought not to be able to obstruct the passage of legislation.

But, Mr. President, I do not believe there is any legislative body in this world which accomplishes as much in a deliberate, thoughtful, and careful way as the Senate accomplishes under its existing rules. The very freedom which is accorded to Senators here assures debate, which would not occur if we had a previous question. There would of necessity be an exclusion of many from debate.

I have often seen in the newspapers and I have often heard it said that debate is of no effect in this body. That is not true. I appeal to every Senator here if the contrary is not true, as is shown at every session repeatedly upon full debate, because Senators desire here to get at the right. Sometimes we are constrained by political prejudice and more or less of partisanship where proposed legislation may have a political phase, but in the matters of legislation almost universally debate in this body has had great weight, and many members have risen and acknowledged a change of view because of a discussion which has taken place. It would be quite absurd to have it understood that debate is of no consequence here.

This power to stop the hasty passage of bills by a single objection in the afternoon sometimes when we take up the Calendar has been of infinite benefit to the country. We rely largely upon committees. Sometimes the committees act hastily and imprudently—all the committees. Sometimes bills are reported along toward the end of the session by a poll of the members of the committee, and it has often happened that objection to a bill has delayed it for an hour until the Senator in charge could explain it; and it has often happened the delay brought about a conference which disclosed a defect in the bill which was remedied by amendment.

It is true that when a bill is objected to by a single Senator it is possible, under the rules, to move to proceed to its consideration. I appeal to Senators that that rarely becomes necessary, and by common consent, as a rule, when a measure is objected to it goes over for examination, and that delay seldom fails to be useful.

For one I have become convinced that under the rules of the Senate as they are, the interest of the public, of the whole country, is better subserved than it would be had we a cloture.

Now, this proposition has been amended, admitting by the amendment the justice of the criticism which was made upon the other resolution. What does it call upon the Senate to do? It calls upon the Senate practically to put a vote of censure upon those gentlemen who are members of this body who happen to be conscientiously opposed to this measure as it stands. Is a majority of the Senate prepared to do that? Is not that a novel proposition?

Recurring to what occurred in a former term, I remember when Senators on the other side of the Chamber, and some upon this side, were unwilling to permit what was called the force bill to come to a vote. I favored the force bill, as it was miscalled, for as we amended it in our committee there was nothing in it which justified that characterization of it. There was a majority in the Senate, I believed then and believe now, in favor of that bill. I never doubted for one moment the sincerity of gentlemen on the other side in their opposition to it, nor did I challenge their sincerity in the belief that they wrought a patriotic purpose in refusing to permit us to pass it.

If at that time some one on this side had introduced such a resolution resolving that it is the sense of the Senate that by unanimous consent a day and hour prior to the 2d of March next should be fixed for a final vote on the Federal election bill and all amendments thereto, what would have been thought about it on the other side? A vote of censure by a majority here upon any man who saw fit to exercise the right which the rules give him to object to a vote; an impeachment by a majority of the Senate because they happen to differ with a large and conscientious minority upon the merits of the measure; an impeachment almost of the motives of any man who rises here under the rules, as he has a right to do, to object.

Mr. HOAR. Mr. President, may I make one suggestion to my honorable friend?

Mr. SPOONER. I am always glad to get a suggestion from the Senator.

Mr. HOAR. It is one of fact. I would not presume, of course, to suggest anything to the Senator by way of argument. I had the charge of that bill, the election bill, which had no more of an element of force in it than the taking of a census has.

Mr. SPOONER. That is right.

Mr. HOAR. But I am satisfied, I think I know, that if there had been a vote when the bill first came up it would have had a

majority of the Senate. However, in the progress of the discussion—

Mr. BACON. Mr. President, we can not hear the Senator on this side.

Mr. HOAR. If there had been a vote—

Mr. TELLER. Mr. President, can we not have a little order? We can not hear the Senator in this part of the Chamber.

The PRESIDENT pro tempore. The Senator from Massachusetts will suspend until order is restored. Senators will resume their seats.

Mr. HOAR. Mr. President, I was saying that I had the charge in the Senate, as chairman of the Committee on Privileges and Elections, of the bill known as the force bill, which was a bill providing for watching the elections as it was reported, and had no more element of force in it than the taking of a census has. But I am satisfied that if there had been a vote on the bill when it was first reported it would have had a majority of the Senate in its favor. If there had been a vote on that bill at the end of the session, at the end of the discussion, it would have been beaten by a majority. In other words, the progress of the discussion, in my judgment, changed the majority in the Senate in regard to that bill.

Mr. STEWART. Mr. President, one word. The fact with regard to it was that it was twice displaced by calling up other measures. In December the silver bill was called up and displaced it by a vote, and finally, in February, the apportionment bill was called up and it got a majority and displaced the other measure by a vote.

Mr. HOAR. The fact as to that bill, as I understand it, absolutely supports the contention of the Senator from Wisconsin.

Mr. HALE. And if there had been then, as some Senators believed there ought to have been, a previous question, there would have been no opposition that could have stopped the passage of the bill, and the change in sentiment the Senator from Massachusetts has referred to, which undoubtedly took place, never would have taken place.

The PRESIDENT pro tempore. The Senator from Wisconsin will proceed.

Mr. SPOONER. Now, Mr. President, I have said about all I wish to say on this resolution. It accomplishes nothing. It does not change any rule of the Senate. If adopted, it does not move the statehood bill one moment nearer a vote under the rules of the Senate. It has but one possible effect, and that is to put upon the record the judgment of every Senator who votes for it, censuring any Senator who under the rules objects to a vote. I think it is a bad beginning.

Mr. TELLER. Mr. President, I am myself very much in favor of the statehood bill and prepared to do anything which I think is just and consistent with my duty here to further that object. I agree with the Senator from Wisconsin [Mr. SPOONER], the chairman of the Committee on Rules, as to the desirability of maintaining in this body the right of free discussion. I have myself had occasion in the number of years I have served here to see the advantage of it.

I agree with the Senator from Massachusetts [Mr. HOAR] that the bill, which he thinks did not have any element of force in it, would have become a law if we had had a cloture rule. I myself was an active opponent of that bill. If it did not have the element of force in it, it had in it, in my judgment at that time, the element of fraud, and created an opportunity for dishonest people to meddle with elections. But I do not care to discuss that question. I believe that discussion created a sentiment and belief in this body—and it was very much of the character which has been expressed in the debate which is going on here this morning—that it was not wise to pass that bill. While that bill was not voted on directly, the men who voted to displace it were the men who would have voted against it if there had been a vote taken upon it.

Mr. President, I have been a little restive sometimes, and probably once or twice I have said some things which I ought not to have said as to the length of the discussion on the statehood bill, but I myself will not vote for anything, directly or indirectly, which will indicate the right of the majority to censure the minority, or that will look directly or indirectly to any method, either legal or moral, which may prevent any Senator from exercising his judgment in securing delay whenever he thinks he ought to do so.

I believe that there ought to be somewhere in the Government of this country a place where unrestricted and untrammelled debate may be had. I believe it was the purpose of the creation of this body that deliberation and thought and delay might be secured for great questions which might for the time being unduly agitate the public mind, either because of intense partisanship or for any other reason, and I believe that there is nothing which can so secure to the American people righteous and just legislation as the right on this floor to discuss in every way and to delay by every method which shall meet the approval of Senators act-

ing under oath all bills or measures which they think are improper and unwise.

I was delighted to hear the chairman of the Committee on Rules say what he has said this morning. I believe he expresses the best thought of this body when he says that he is in favor of untrammelled debate and unrestricted obstruction when, in the judgment of Senators, such a course is necessary.

Mr. HALE. Mr. President, I move that the resolution be referred to the Committee on Rules.

The PRESIDENT pro tempore. The Senator from Maine moves that the resolution be referred to the Committee on Rules.

Mr. COCKRELL. Is that a debatable proposition, Mr. President?

The PRESIDENT pro tempore. It is.

Mr. COCKRELL. Mr. President, I merely want to say that I heartily concur in what the Senator from Wisconsin [Mr. SPOONER] and the Senator from Colorado [Mr. TELLER] have said.

Mr. BACON. Mr. President, I want to say that I am very glad that the Senator from Pennsylvania [Mr. QUAY] introduced this resolution, because it has given opportunity for the expression of views by leading Senators here which I think will be of priceless value to the Senate in the future. I think, Mr. President, the utterances which we have heard here to-day will finally put at rest the question whether the Senate will ever adopt, at least in our day, a cloture rule.

Mr. President, there are three distinguishing features of this body which I think justify the expression which we so frequently hear, that this is the greatest deliberative body in the world. One of them, of course, we all recognize in the fact that we are a part of the executive of this great nation; another is the fact that there is equal representation of the States here, and that the membership of this body, except in the increase of States, can never be either increased or diminished, and the third which I have in mind is the right to unlimited debate, without which, Mr. President, neither of the other two would entitle us to the high rank which we claim for the Senate.

I only rose, Mr. President, for the purpose of giving expression to the gratification which, as a member of the minority party in this body, I feel at the expressions which have been given to us to-day by leading members of the majority, those who have the power to control if the power of the majority is attempted to be ruthlessly exercised.

I agree most heartily with my distinguished friend from Missouri [Mr. COCKRELL] in commending the utterances which we have heard, and I express my most thorough concurrence therewith.

Mr. PLATT of Connecticut. I should have said nothing, Mr. President, if the observations which have fallen from the Senator from Wisconsin [Mr. SPOONER] and other Senators here did not impel me to say at this time in a very few words that I do not agree with them in the assertion of their opinion that there should be no rule adopted in this Senate for reasonably limiting debate here. I do not wish to enlarge upon it at this time.

I do not think the resolution of the Senator from Pennsylvania [Mr. QUAY] which has been introduced has been introduced at a time when this question can be raised and discussed temperately and carefully; but I have always been of the opinion that some rule limiting debate might be adopted in this Senate which would not cut off the right of the minority, which would not interfere with the real rights and privileges of any Senator to properly debate a subject which might be pending before the Senate.

I do not believe in absolute, untrammelled debate when it reaches the point of obstruction; and I think we may well consider as to whether there is not some method in which debate can be restrained within reasonable limits and not allowed to run to the limit of intentional obstruction.

Mr. ALDRICH. Mr. President, if it was not the intention of the mover of this resolution to indirectly limit debate upon the statehood bill and to place a restraint upon the rights of Senators under the rules and under the Constitution, then its introduction and consideration is a farce and nothing else. If the Senator's resolution simply means that if unanimous consent can be secured it ought to be secured, then it has no purpose here. If the intention is by this indirect method to change the rules of the Senate and to say to Senators you can not exercise your rights under the rules, then I say the resolution should not be adopted.

In the contest to which the Senator from Massachusetts [Mr. HOAR] has referred, I was the chairman of the Committee on Rules and reported rules placing a limitation upon debate. At that time and at other times in my earlier service in the Senate I believed that such restriction was necessary, but from my experience in the Senate and my knowledge that very rarely, if ever, has the Senate by delay and by discussion defeated a measure that should have been adopted, I am free to confess with the Senator from Wisconsin to-day that I should not vote for any rule or resolution which would undertake to place restrictions



upon debate, because I believe that in the long run the Senate will arrive at a wise conclusion on all questions submitted to its decision.

Mr. LODGE. Mr. President, when I entered the Senate I came here fresh from the greatest contest that had been made in the House of Representatives, certainly in this generation, and which involved the question of closure or of the previous question. Stated more broadly, the issue was whether the majority in the House of Representatives was to transact any business at all. The House of Representatives, when I entered it, was under the old system of rules, and had fallen into a condition where practically one man could arrest the business of the House by an apt use of complicated rules and long roll calls. I was in the House which revised the old rules and adopted what were known as the Reed rules, which, in my judgment, were the salvation of the House of Representatives and of its position as a legislative body, for under the old rules it had fallen into a state of almost complete inanity. Therefore I came to this body with a very strong prejudice in favor of vigorous and prompt methods of closing debate.

I entered the Senate with all these opinions very strongly upon me, and I remember on August 7, 1893, or immediately afterwards, when we assembled in extra session, I introduced a resolution to compel the Committee on Finance immediately to report a bill for the repeal of the Sherman law, moved thereto by the discipline which I had received in the House. That motion was met by the Senator from Colorado [Mr. TELLER] as an impossible method of procedure, and with much the same argument that he has repeated here to-day.

Mr. President, I have been here since then for ten years. In a very short time after my coming into this body, within a year or two, in fact, I came to the conclusion that the practice of the Senate was on the whole a wise one, and though hard at times to bear when we are interested in passing a bill and grow naturally impatient, that it was the safest system for the country and for the general interests of the Government. Mr. President, I have seen in that short time both parties in control of the Senate, and I do not remember that any measure desired by an actual and true majority of the Senate has ever failed of a vote.

In the first session of the Senate a previous question was adopted which could be applied, by a majority vote, if moved and seconded from the floor. In 1896 the Senate struck that provision from the rules, and for a hundred years has never reenacted it. I think the principle involved, therefore, ought not to be lightly set aside, for there is much to be said in behalf of the practice of a hundred years. Moreover, Mr. President, as I was just saying, in that long period and in late years it has been clear that the majority of the Senate always gets a vote when it is a real majority.

Mr. President, I believe thoroughly in majority rule. I had that lesson borne in upon me in my service in the House of Representatives; but those who invoke majority rule, Mr. President, must not begin by overthrowing it. This country intrusts the Government to one political party or the other, and the party in power is responsible for the Government, and is the majority party. If a bill passes this Congress, it makes no difference by what combination of votes it passes, the party in power at the moment, which now happens to be the Republican party, is held responsible for it, even if the great mass of their Members and Senators voted against it.

A bill, for example, came to this table the other day from the other House settling the currency of the Philippine Islands. It was passed there by the minority party acting with a small fraction of the majority party; that is, the party to whom was intrusted the Government of the country was, under that vote, to be made responsible for a measure to which the great majority of its members objected, and which they did not believe in.

Therefore, Mr. President, a majority in this Senate must be something more than a numerical majority at any given moment, and there must be time to develop the fact whether it is a genuine and responsible majority, and also whether votes can not be changed.

I was deeply and profoundly interested in the force bill, as it was called, which has been alluded to here. I had it in charge in the House of Representatives and I saw it defeated on this floor by methods of obstruction, which resulted finally in the change of votes which has been here alluded to. But, Mr. President, I had much rather take the chances of occasional obstruction than to put the Senate in the position where bills could be driven through under rules which may be absolutely necessary in a large body like the House of Representatives or the House of Commons in England, but which are not necessary here. I think here we should have, minority and majority alike, the fullest possible opportunity of debate.

I myself have never indulged in obstruction and I have no desire to indulge in it now, but I think, Mr. President, that it would be the height of unwisdom to pass a resolution like this and open the way to a closure rule, which is what this resolution does, and

which is a matter of the utmost gravity, without more consideration than can be given in the morning hour. Those whom it most behooves to oppose such resolutions as this are the party of the minority, for it is the minority whose rights are at stake and whose last protection is found on the floor of this Senate.

Mr. MCCOMAS. Mr. President, I offer an amendment in the nature of a substitute for the resolution, so that if the resolution shall go to the Committee on Rules this amendment may go with it. I do not desire to have it read nor to debate it.

It seems to me that if the Senator from Pennsylvania [Mr. QUAY] is right—that there should be a time for voting on the statehood bill, because, as he alleges, a majority are for it—then there should come a time for voting on all bills if a majority favor those bills. So I have offered as a substitute a proposition long ago submitted by the Senator from Connecticut [Mr. PLATT]. I desire that the substitute may go to the committee with the resolution. Certainly a rule that is good for one day ought to be good for all days; a rule that is good for the statehood bill ought to be good for every important measure in this body. I oppose the statehood bill, but I concede and believe from observation in the other House and from brief observation here that a rule which would apply to all bills, so that at some time a majority could have them considered and voted on, is proper and orderly, and the proposition I now offer as an amendment is for the orderly procedure with and the final disposition of questions which a majority in this body desire to have passed.

Mr. HALE. I rise to a parliamentary question, Mr. President. The PRESIDENT pro tempore. The Senator from Maine will state his parliamentary question.

Mr. HALE. I suppose, if the motion which I have made carries, that the resolution and any amendment pending to it will go to the Committee on Rules.

Mr. BATE. I rise to a parliamentary question, Mr. President. Do I understand the Senator objects to a discussion of this question? Does he want to put a cloture rule on us now?

Mr. HALE. Oh, no; I only raised a question as to whether, if my motion prevails, it will not carry not only the resolution of the Senator from Pennsylvania [Mr. QUAY], but any amendment offered to it to the Committee on Rules. Of course I do not desire to interfere with debate, and I do not insist on my motion being put now.

The PRESIDENT pro tempore. No amendment like the amendment offered by the Senator from Maryland [Mr. MCCOMAS] is in order, the motion to refer having been made. If the motion to refer should be withdrawn, then the Senator from Maryland could offer his amendment as a substitute for the pending resolution, and then if a motion were made to refer and it were adopted it would carry with it both the original resolution and the amendment.

Mr. HALE. I have no objection under those conditions, Mr. President, to temporarily withdrawing my motion and letting the Senator from Maryland put in his amendment. After that I will renew the motion.

Mr. MCCOMAS. I shall be very glad to have the Senator do that. I have no desire to debate the proposition.

The PRESIDENT pro tempore. Does the Chair understand that the motion to refer the resolution is withdrawn for the present?

Mr. HALE. For the present.

Mr. MCCOMAS. I now offer the amendment to which I have referred as a substitute for the resolution.

Mr. BURROWS. Let the amendment be read.

Mr. HALE. It has been read, I think.

Mr. BURROWS. No, it has not been read.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maryland has not been read. It will be read.

The SECRETARY. It is proposed to substitute for the resolution of Mr. QUAY the following:

*Resolved, That the rules of the Senate be amended by adding thereto the following:*

When any bill, resolution, or other question shall have been under consideration for a reasonable time, it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion except one motion to adjourn shall be made. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without debate. If the Senate shall decide to close debate on any bill, resolution, or other question, the measure shall take precedence of all other business whatever, and the question shall be put upon the amendments, if any then pending, and upon the measure in its successive stages according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure, including all amendments, not more than once, and not exceeding thirty minutes.

After the Senate shall have decided to close debate as herein provided, no motion shall be in order but a motion to adjourn or to take a recess, when such motions shall be seconded by a majority of the Senate. When either of said motions shall have been lost or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote upon the same shall have intervened.

Pending proceedings under the foregoing rule no proceeding in respect of a quorum shall be in order until it shall have appeared on a division or on the taking of the yeas and nays that a quorum is not present and voting.

Pending proceedings under the foregoing rule all questions of order,

whether upon appeal or otherwise, shall be decided without debate, and no obstructive or dilatory motion or proceedings of any kind shall be in order. For the foregoing stated purposes the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL are modified.

Mr. HALE. Mr. President, I now move that the resolution be referred to the Committee on Rules.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine that the resolution be referred to the Committee on Rules.

Mr. BATE. Mr. President, I desire to say only a few words on the pending resolution. I want to emphasize what has already been so well said by the Senator from Wisconsin [Mr. SPOONER], the Senator from Colorado [Mr. TELLER], the Senator from Missouri [Mr. COCKRELL], and other Senators.

I wish also to say that I believe I represent every Senator on our side of the Chamber when I state that there is not a single one of us who would vote for anything that contained anything in the direction of cloture. We oppose it. We believe in the freedom of debate to the fullest possible extent, as we always have done, and especially, as has been said, when this is perhaps the only legislative body in the world where that privilege is so extensive.

Mr. President, in regard to the resolution which has been presented here by the Senator from Pennsylvania [Mr. QUAY] I wish to say that I see nothing in it tending toward a cloture rule. It occurs to me that that Senator had no such idea when he penned that resolution and presented it. In other words, it is very clear that the resolution is in almost the exact language which that Senator has been using here every morning for nearly a month, asking that a given day be assigned by unanimous consent for the purpose of securing a vote upon the pending omnibus statehood bill. That is the language used in the resolution.

That unanimous consent, Mr. President, is one of the most sacred obligations which the Senate has, and I am glad to say that in the sixteen years I have had the honor of a seat in this body I have never known a unanimous-consent understanding to be violated. Everyone respects it as sacred and solemn and stands to it to the last; and the resolution submitted by the Senator from Pennsylvania has that language in it, "by unanimous consent." A single Senator could object to it.

But, Mr. President, I go farther. I will say that I do not desire to do anything that will cause Senators to feel restive and uneasy or to feel that this resolution is a reflection upon them. I do not desire to be a party to anything of that kind. I want them to have a clear idea of the propriety of their action and to exercise that idea in their own way. I do not wish for one to criticize them for it. Therefore, although I see nothing objectionable in it, I am willing to vote for the motion to refer the resolution to the Committee on Rules. I have no objection to that, but I do not want to impinge on the rights of any Senator. I do not believe that this proposition amounts to anything more than what has been done here ever since we have had the statehood bill under discussion for more than two months, when the Senator from Pennsylvania has risen in his seat every morning at the termination of the routine morning business and put the same proposition in substance to the Senate which is embodied in the resolution desiring unanimous consent.

I do not understand that there is anything in the resolution which indicates that it tends to the adoption of a cloture rule; but, notwithstanding that, I shall, for the reasons I have stated, vote for its reference to the Committee on Rules.

Mr. DUBOIS. Mr. President, I would not even by indirection vote for a cloture rule, and I am willing to assume that the Senator from Wisconsin [Mr. SPOONER], the Senator from Maine [Mr. HALE], and the Senator from Rhode Island [Mr. ALDRICH] represent the views of the other side in their declarations against a cloture. I honor and respect the Senator from Connecticut [Mr. PLATT], who now has before the Senate a resolution limiting debate, rather a drastic resolution, of which he says he is in favor; but I rise chiefly to dissent totally from the Senator from Massachusetts [Mr. LODGE], who proposes the most partisan and indefensible scheme that I ever heard presented here.

The Senator from Massachusetts says that if the majority of the Senate on any question does not belong to the majority party in the body it is not a real and bona fide majority, but that the majority of the majority party has the right to decide what measures shall pass. In the House of Representatives, as an illustration, he cites a recent case in the passage of the Philippine currency bill by that body, when the minority in politics joined with a few members of the majority in politics and passed the bill. He objects to that. I would call the attention of the Senator from Massachusetts to the fact that the majority of the Senate when the Sherman law was repealed were not the majority party. That majority consisted of a small number of the majority party added to most of the minority party, and this majority repealed the Sherman Act.

Mr. LODGE. The Senator will allow me to interrupt him?

Mr. DUBOIS. Certainly.

Mr. LODGE. They represented the Administration which had been elected by a majority of the people of this country and which was responsible for its government.

Mr. DUBOIS. Oh!

Mr. LODGE. And the combination of Democrats and Republicans was supporting the Administration, which favored the repeal of the Sherman Act and was responsible for the government.

Mr. DUBOIS. Mr. President, the fact remains that the Democratic party was in the majority in number in this body when that repeal bill was passed, and a large majority of the Democratic Senators were against that repeal. A minority of them joined with the almost solid Republican vote and passed it.

The Senator from Massachusetts was criticizing severely the Senator from Pennsylvania [Mr. QUAY] by indirection, and yet the same situation exists now in regard to this bill as then existed in regard to the repeal of the Sherman Act. The Senator says that unless the majority in favor of a bill belongs to the majority party it does not reflect the genuine sentiment of the responsible majority. His language was very nice, it was very clever; but that is exactly what he meant and that is what he said. I dissent from that.

If a majority of this body—I do not care to what party they belong—think it is for the best interests of the country to pass a bill, they ought to be allowed to vote on it and it ought not to be necessary for all of them to belong to the majority party; otherwise the political minority in this Chamber might just as well go home. If you give a license to the minority, provided that minority belongs to the majority party, to kill a bill by filibustering, we might as well have no rules at all.

But the logic, the sequence, of that proposition is that if the opposition is confined to one side of the Chamber or to the other, then it ought to be held up and made to submit to the will of the majority. Yet, if the majority is composed of those on both sides of the Chamber and if the majority of the dominant party should be the minority in that discussion, then that minority has a perfect right to prevent and ought to prevent legislation. I dissent from any such doctrine on this floor.

Mr. MASON. Mr. President, I think this is an opportune time to again call attention to resolutions I have introduced annually for the last six years providing for an amendment to the rules.

This is the only deliberative body in the world where the minority controls legislation. This is the only body in the world where a member of the minority can take the floor and by reason of Senatorial courtesy set his vocal organs at work for a week at a time without any intellectual exercise. [Laughter.] And it is marvelous to me to see with what rapidity our hearts and sentiments change when, in the hurly-burly of politics, we are shifted from the minority to the majority. When I am in the minority in this body I expect other Senators to treat me with great consideration, to watch carefully and see that all of my bills are passed without discussion, and that I never am refused unanimous consent for anything I ask. But when I am in the majority my sentiments and conditions are changed. I approach the minority who are engaged in filibustering—to call it by a little more genteel name, dilatory tactics—with the greatest care and consideration.

The minority is the great part of this body, and it is the only body in the world where the minority stops legislation and prevents the majority—notwithstanding the boast of the Republic is that it is a country of majorities—from exercising its will. The rule of the majority prevails in every body, from the lowest legislative body in the nation to the supreme tribunal. In the Supreme Court of the United States, when a majority of those eminent jurists pass upon a question, that majority opinion becomes the law of the land and the minority bows to it.

Here we are in this situation again and again. Day after day three new States are knocking at the door; the majority of the Senate is for the measure, but the minority says, "No; let us wait; let us talk; let us have more vocal exercise." in order to prevent the expression of the will of the majority here. Here, pending before this body, is the treaty providing for the construction of that great canal from ocean to ocean. A majority are for it, but a minority say, "No; unless you move out of your minorityship on another measure and let us vote for statehood, we will not play in your back yard and let you vote for the canal treaty." Dignified gentlemen, in a dignified body, permitting the minority to govern our course of conduct!

Gentlemen say that legislation is always reached when a majority is for it. I deny it. I assert that the graveyard of legislation is full of legitimate legislation asked for by the people, abandoned because one man in the minority says, "I shall feel obliged to take the floor for a week or two on that bill if you call it up." Mr. President, I am sorry thus to find fault, but I say that the time never will come in this country when the Senate of the United States can transact its business until you provide a plan so that the majority may govern.



It is not necessary to cut off debate or unduly to limit debate. The rules which have been propounded here, even the one suggested by the distinguished Senator from Connecticut [Mr. PLATT], contemplate giving ten days, twenty days, thirty days. The Senator from Pennsylvania [Mr. QUAY], who has asked you to vote upon the pending statehood measure, offered to give you thirty days' debate. But no; you are not ready. It is the love of power. I have learned it. I like it when I am with the minority. It is a splendid thing. It is glorious to stand in the minority and say the majority shall not act. It is a delightful habit we have of drawing the cloak of hypocrisy around us and saying, "We are not filibustering." But we know we are, and you know it, and they all know it, and the country knows it.

To-day we could have voted and passed the canal treaty a dozen times over; the statehood bill could have been beaten or passed twenty times over after full and fair debate; but the truth is that this love of power which, when a man is in the minority, enables him to put the brake on the train regardless of the order of the general superintendent has filled the legislative graveyard of the country, and, in my opinion, it will not be corrected until the people of the United States so shape their Constitution that the Senators in this body will owe their seats to, and answer directly to, the people, who ought to elect the Senators. [Manifestation of applause in the galleries.]

Mr. LODGE. Mr. President, I had not intended to say anything more upon this subject. I regret, however, so much that what I said annoyed the Senator from Idaho [Mr. DUBOIS] that I wish to be a little more explicit.

Mr. President, the success of parliamentary and representative government has been complete only among the English-speaking people, and all observers and students of the history of parliamentary and representative institutions admit that one cause of that success has been the fact that both in England and in the United States we have proceeded by party government, by the government that is of two parties, a party of government and a party of opposition; one party in power; the other party always ready to act as the party of criticism and restraint, and in due time itself to take power.

Elsewhere we have had in parliamentary bodies what may be called government by groups. We have seen parliaments, senates, and houses of representatives split up into three or four, or sometimes more, different groups, separated often by small shades of opinion. The coalescence of those groups for a temporary purpose has been necessary to form a ministry or to carry on a government. The result has been an absolutely shifting quality in almost all other parliamentary bodies except our own and those of England. For example, in France, where they have had the system of groups, up to the time of the late ministry of M. Waldeck-Rousseau, there never had been a ministry in France that could hold power over fourteen months. That had been the extreme. All continuity was lost—continuity of foreign policy, continuity of domestic policy. One coalition of groups would come in and put in a ministry. They would fly apart. Another coalition, with slight changes, would bring in another ministry.

There is not any doubt, Mr. President, that the party system has been the great secret of the success of parliamentary institutions in their practical working among English-speaking people. In the Senate the period to which the Senator from Idaho has alluded, when it was in a condition where neither the Republican party nor the Democratic party had power, when we were in that condition in the Senate where everything had to be passed by an arrangement between three groups or two groups and when there was no party responsibility, I say without hesitation was the worst period within the legislative history of the Senate. It was so because there was no party responsibility. It would have been infinitely better to have had either party in absolute control of this body, and I say this as a Republican and a party man. In other words, party responsibility is essential to good government and to a reasonable conservatism. The people intrust government to a party. That party is responsible for the Government in all its parts. No matter what legislation passes here, the party in power is responsible, and properly so, because as an organization it can pass or can stop any law.

Now, Mr. President, you form a majority ad hoc, for one special purpose, in this body or in the House of Representatives, and it has no responsibility to the people. It goes to pieces the moment the single purpose it favors is carried. It does not act together on any other measure even while it is pressing that one, and when it has attained its end it is not responsible to anyone, for, in the very nature of things, it has no responsibility. Irresponsibility is the greatest danger to honest and free government. Responsibility rests, must rest, and ought to rest on the majority party, to which the people have intrusted power for a long or for a short time, as the case may be.

My proposition is that the majority ought to rule. I think the majority party ought to rule because it is responsible. I bowed

to the will of the majority party when the Democratic party was in control in this Chamber. I never, to my knowledge, obstructed or filibustered against any of their measures. I think they were rightfully entitled by the vote of the people to control. I think the majority party to-day, because it must bear all the responsibility, because it must have all the glory or all the odium of any measure that passes, no matter whose votes pass it, is entitled to have the authority with the responsibility.

If a majority on this floor ought to rule and rule without restraint and everything ought to bow before it, then the same principle holds good in a party council. The majority there ought to rule and everything ought to bow before it. Mr. President, it is thus very easy to force those doctrines to extremes, and therefore I think it is much wiser to adhere to the beaten paths that the Senate has followed for a hundred years. I have no doubt that all the legislation this country really demands, or that it is safe and wise to pass, will meet with action in this Chamber now and in the future as it has in the past.

The Senator from Illinois [Mr. MASON] has talked about the legislative graveyard. Some good measures no doubt lie buried there, but the vast majority are measures which to-day the country is glad to know never passed and which are forgotten in their graves. The delay of the Senate, in view of the rapidity of action elsewhere, has not proved a bad factor in legislation, and I think, Mr. President, that along the old lines of party responsibility and due discussion lies the safest road for legislation in this body.

Mr. McCOMAS. May I ask the Senator from Massachusetts a question?

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). Does the Senator from Massachusetts yield to the Senator from Maryland?

Mr. LODGE. Certainly.

Mr. McCOMAS. Does not the very reasoning of the Senator from Massachusetts as to party responsibility lead to a cloture rule, and has it not led the other English-speaking parliamentary government at home and in its principal colonies to adopt a cloture rule, that the responsible party at some time may, after debate, decide?

Mr. LODGE. Never in both Houses, so far as I am aware.

Mr. McCOMAS. Never in both Houses? Well, we are not the House of Lords.

Mr. LODGE. No; that is perfectly true. But it has never been done in both Houses.

Mr. McCOMAS. Is it not true that in the principal colonies in both houses they have adopted the cloture rule?

Mr. LODGE. I have not examined the facts enough to say whether it is so in the upper houses of the British colonies or not.

Mr. McCOMAS. I think the Senator knows that in some cases, at least, it is.

Mr. LODGE. I do not. I never inquired into the practice in the upper houses of those bodies.

Mr. DUBOIS. Mr. President, the Senator from Massachusetts [Mr. LODGE] has stated his position even more clearly than he did before. In his judgment the majority of the majority should rule. That not only eliminates the political minority, but it eliminates the minority of the majority party.

Mr. HOAR. Will the Senator from Idaho allow me to make one observation before the matter passes?

Mr. DUBOIS. Certainly.

Mr. HOAR. There is an eminent member of the Canadian parliament on the floor, and I am informed by him there is no cloture rule in the upper house there or in either house.

Mr. DUBOIS. I admit that the majority party at present is thoroughly organized and submits to discipline, but it might be possible that there would be some difference of opinion among the majority about some tariff revision. According to the Senator from Massachusetts [Mr. LODGE] the party should take the New England idea in regard to the tariff—the ultra view. The minority in the party ought not to have anything to say about it. The majority ought to have their way.

I am inclined to believe that the Senator from Massachusetts was trying to combat the position of the Senator from Pennsylvania [Mr. QUAY] and had not seriously taken into consideration the full force and effect of his remarks. I certainly do not believe the Senate of the United States desires to subscribe even by indirection to the proposition that the majority of the majority party, those who would control in a caucus if they went into a caucus, should always have their way in this Chamber.

Mr. BURTON. I wish to ask the Senator from Massachusetts if he thinks we should have a cloture rule in caucus?

Mr. LODGE. I am not in favor of a cloture rule in the caucus, of course. It would be a mere absurdity. All I said was that if you were going to carry the principle of majority rule to extremes, and that the majority must rule always without restraint at all times and immediately in this body, then it is a poor rule

which does not work both ways, and the majority ought also to rule in the conference or the caucus just as much as here, if the majority rule is never to be resisted. It can not be right to disregard majority rule in the conference room and hold it a sin to disregard it on the floor of the Senate. I am contending in this case, however, not for the rights of the majority, but for the rights of the minority in this Chamber, and for the system which the Senate has followed for a hundred years.

Mr. CARMACK, Mr. BURTON, and Mr. QUAY addressed the Chair. The PRESIDING OFFICER. The Senator from Tennessee.

Mr. HALE. Mr. President—

Mr. CARMACK. I yield to the Senator from Maine.

Mr. HALE. I merely wish to say that I think the Senate is ready for the question. I do not propose to debate the motion which I have made, but I hope the Senate will have an opportunity, in view of this most interesting and illuminating discussion, to take a vote before 2 o'clock to-day on the proposition to refer this whole matter to the Committee on Rules. I beg the Senator's pardon for interrupting him.

Mr. QUAY. Will the Senator from Tennessee pardon me?

Mr. CARMACK. Mr. President, I wish to suggest to the Senator from Massachusetts [Mr. LODGE] that the comparison he has made—

Mr. MALLORY. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Florida will state his point of order.

Mr. MALLORY. It is that we can not hear what the Senator from Tennessee says.

The PRESIDING OFFICER. The Senate will be in order. Senators will please resume their seats.

Mr. CARMACK. Mr. President, I was saying that I want to suggest to the Senator from Massachusetts that the comparison he has made with reference to the conditions of party and parliamentary government in other countries—France and England—are not at all applicable to conditions in this country. The life of a ministry in the United States is not dependent upon parliamentary majorities.

The conditions existing in England, where Parliament has become supreme and where the King retains only a shadow of his former power, are not due to the form of the British constitution, but to the accidental fact that there are two and only two political parties, one or the other of which always has a majority in the House of Commons. If that condition were to cease to exist, if there should come to be three or more large political parties in Great Britain, none of which had a majority in the House of Commons, I imagine that the King might resume a great deal of his former power. Conditions here are fixed by the Constitution, and party government in my opinion is of nothing like so much importance in this country as it is in a country where the ministry must be supported all the time by a majority in Parliament or in one House of Parliament. The principle of our Constitution is to keep the legislative and executive power separate and independent. In the working out of parliamentary party government in Great Britain the executive power is wielded in practice and effect by a parliamentary committee.

I do not think, Mr. President, that it is a matter of supreme importance, especially upon a question like this, that the majority of the Senate should be an unmixed and unadulterated partisan majority. This is not necessarily, and it is not in its nature, a party question. Both parties, in fact, have declared in their platforms in favor of the admission of these States. It therefore is not by nature, and has not been made by the two political parties, a party question, and it is a question with reference to which the majority should rule without reference to the political complexion of that majority.

I was about to suggest, when my friend the Senator from Idaho [Mr. DUBOIS] rose, that I thought it a most remarkable statement which the Senator from Massachusetts [Mr. LODGE] made, in effect that a minority of the Senate, if it happened to be a majority of the majority party, possessed an unlimited right of obstruction, while a minority composed of a minority party had no such right.

Mr. President, I am not in favor of a cloture rule, but I wish to state that in my judgment if a cloture rule is ever adopted in the Senate it will be brought about by just such conditions as prevail now, where debate is carried on not with any view of informing the Senate, not with any purpose to change the vote of a single Senator, but purely for the purpose of obstruction and to defeat pending measures by delay. It seems to me if we are to avoid a cloture rule we should have an end of conditions such as have existed here sometimes, where a bill of vast importance to all the people of the United States has been held up by one man at the point of a jawbone and ordered off the statute books in spite of the fact that a large majority of both Houses were in favor of the bill. Such things, Mr. President, are likely to force a cloture rule some time or other, and one reason why I do not

like to see debate carried on purely for the purpose of obstruction is that I am afraid it will force the adoption of rules that will unduly limit legitimate debate.

I will not say that there are not occasions when debate for the pure purpose of obstruction may not properly be indulged in, but these must be very exceptional cases, cases like the case of the so-called force bill, where the people in my part of the country believed that if such a bill were enacted into law it would be utterly ruinous and destructive of their whole civilization. It was a case where we were fighting like a man fights in defense of his life and where he casts aside all rules, even that of the commandment, which says, "Thou shalt not kill." It must be an extreme and exceptional case, in my judgment. But if in a case like this, a case where both parties in their platforms have agreed upon and declared in favor of the pending measure, a minority of the Senate are to pursue obstructive tactics and defeat the bill simply by delay, then other Senators in cases of no greater importance will exercise the same right and will put an end to the orderly conduct of business in the Senate and will force the adoption of cloture sooner or later.

Mr. CULLOM. Mr. President, I rise to move that the Senate proceed to the consideration of executive business.

Mr. COCKRELL. Let us have a vote on the resolution.

Mr. HALE. Let us have a vote.

Mr. QUAY. Mr. President, I wish to be heard upon the pending resolution.

Mr. GALLINGER. So do I.

Mr. QUAY. I prefer that it should go over until to-morrow.

Mr. STEWART. Will the Senator from Illinois yield to me that I may make a request in connection with the Indian appropriation bill?

Mr. CULLOM. I yield for that purpose.

#### INDIAN APPROPRIATION BILL.

Mr. STEWART. I ask the Chair to lay before the Senate the action of the House of Representatives on the Indian appropriation bill.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. STEWART. I move that the Senate insist upon its amendments and consent to the conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. STEWART, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas were appointed.

#### HOUSE BILL REFERRED.

The bill (H. R. 16734) to provide an American register for the steamer *Beaumont* was read twice by its title and referred to the Committee on Commerce.

#### EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three hours and thirty-five minutes spent in executive session the doors were reopened.

#### MISSOURI RIVER BRIDGE.

Mr. COCKRELL. My colleague [Mr. VEST] who is unable to be present at the session of the Senate to-day has asked me to call up for consideration the bill (H. R. 7648) to authorize the construction of a bridge across the Missouri River and to establish it as a post-road. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 17th instant approved and signed the act (S. 475) to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and payment of any balance found due.

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 6961) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brule County, and Lyman County, in the State of South Dakota;



An act (S. 7159) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across St. Francis River, in the State of Arkansas;

An act (S. 7185) to authorize the board of commissioners for the Connecticut bridge and highway district to construct a bridge across the Connecticut River at Hartford, in the State of Connecticut; and

An act (S. 7226) to authorize the Pittsburg and Carnegie Railway Company to construct, maintain, and operate a bridge across the Allegheny River.

#### CORPORATIONS IN ALASKA.

Mr. BEVERIDGE. I am directed by the Committee on Territories, to whom was referred the amendment of the House of Representatives to the bill (S. 6139) to provide for the organization of private corporations in the district of Alaska, to report it back and move that the Senate nonconcur in the amendment of the House of Representatives and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. NELSON, Mr. BURNHAM, and Mr. PATTERSON were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2557) for the relief of Henry L. McCalla.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 15659) granting a pension to Elise Sigel.

The message further announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, further insists upon its disagreement to the amendments of the Senate, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. CAPRON, and Mr. HAY managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 14) granting an increase of pension to George F. Howe, alias Harrington;

A bill (S. 532) granting an increase of pension to Merritt Young;

A bill (S. 699) granting an increase of pension to Franklin Chase;

A bill (S. 966) granting an increase of pension to William Y. Turner;

A bill (S. 1043) granting an increase of pension to Harriet Hatch;

A bill (S. 1128) granting an increase of pension to Lyman Matthews;

A bill (S. 1166) granting an increase of pension to Charles W. Colby;

A bill (S. 1168) to authorize the appointment of Edward L. Bailey as captain of infantry, United States Army, and to place him on the retired list;

A bill (S. 1194) granting an increase of pension to Thomas J. George;

A bill (S. 1227) granting an increase of pension to Bowman H. Peterson;

A bill (S. 1335) granting a pension to Elizabeth Neal;

A bill (S. 1550) granting an increase of pension to Flavius Shanks;

A bill (S. 1631) granting an increase of pension to Edna K. Hoyt;

A bill (S. 1738) granting an increase of pension to Thomas Doyle;

A bill (S. 1873) granting an increase of pension to Hilar D. Davis;

A bill (S. 1914) granting an increase of pension to Elbert Chittum;

A bill (S. 1939) granting an increase of pension to John M. Drake;

A bill (S. 2007) granting a pension to Mary A. Everts;

A bill (S. 2111) granting an increase of pension to William Kepler;

A bill (S. 2114) granting an increase of pension to Sarah B. Barger;

A bill (S. 2130) granting a pension to Margaret A. Munson;

A bill (S. 2256) granting an increase of pension to Andrew J. Pennel;

A bill (S. 2259) granting a pension to Sarah J. Snook;

A bill (S. 2303) granting a pension to Rose O. Crummett;

A bill (S. 2363) granting an increase of pension to James A. Capen;

A bill (S. 2439) granting an increase of pension to Richard A. Larimer;

A bill (S. 2591) granting an increase of pension to George W. McComb;

A bill (S. 2596) granting an increase of pension to Israel F. Barnes;

A bill (S. 2626) granting an increase of pension to Ardenia Dillon;

A bill (S. 2799) granting an increase of pension to Israel V. Hoag;

A bill (S. 2860) granting an increase of pension to Henderson Mercer;

A bill (S. 2936) granting an increase of pension to Berthold Fernow;

A bill (S. 2974) granting an increase of pension to Samuel J. Boyer;

A bill (S. 3020) granting an increase of pension to Eliza E. Littlefield;

A bill (S. 3081) granting an increase of pension to Leonard A. Norton;

A bill (S. 3174) granting an increase of pension to Frederick W. Lillman;

A bill (S. 3249) granting an increase of pension to Charles W. Scherzer;

A bill (S. 3405) granting an increase of pension to William H. H. Bouslaugh;

A bill (S. 3542) granting an increase of pension to William H. Shaw;

A bill (S. 3568) granting an increase of pension to John P. Travis;

A bill (S. 3573) granting an increase of pension to John P. Post;

A bill (S. 3574) granting an increase of pension to Henry R. Bennett;

A bill (S. 3608) granting an increase of pension to Alphonso T. Gould;

A bill (S. 3632) granting an increase of pension to Frank E. Freeman;

A bill (S. 3645) granting an increase of pension to Simeon Deno;

A bill (S. 3803) granting an increase of pension to Philip Caslow;

A bill (S. 3912) granting an increase of pension to John T. Deweese;

A bill (S. 3929) granting an increase of pension to Lemarr A. Brace;

A bill (S. 4023) granting an increase of pension to Alman J. Houston;

A bill (S. 4029) granting a pension to Mary J. Parker;

A bill (S. 4087) granting a pension to Lemuel Kingsbury;

A bill (S. 4123) granting a pension to Eliza Gallagher;

A bill (S. 4134) granting an increase of pension to Timothy Laughlin;

A bill (S. 4140) granting an increase of pension to James O'Neil;

A bill (S. 4239) granting an increase of pension to Oscar H. Prink;

A bill (S. 4287) granting an increase of pension to David N. Tolles;

A bill (S. 4305) granting an increase of pension to Daniel G. Towle;

A bill (S. 4337) granting an increase of pension to Elizabeth Thompson;

A bill (S. 4359) granting an increase of pension to John S. Milam;

A bill (S. 4379) granting an increase of pension to George Davis;

A bill (S. 4429) granting a pension to Alvira Randall;

A bill (S. 4443) granting an increase of pension to Thomas Bassett;

A bill (S. 4466) granting an increase of pension to Archibald McIntire;

A bill (S. 4544) granting an increase of pension to Phineas L. Squires;

A bill (S. 4607) granting an increase of pension to Oliver G. Wright;

A bill (S. 4656) granting an increase of pension to Orlando S. Osborn;

A bill (S. 4702) granting an increase of pension to Ephraim Cunningham;

A bill (S. 4752) granting an increase of pension to Betsey Jones;

A bill (S. 4760) granting an increase of pension to John Hamilton, second;

A bill (S. 4806) granting an increase of pension to Frank A. Olney;

A bill (S. 4807) granting an increase of pension to Emmet C. Hill;  
 A bill (S. 4812) granting a pension to Addison Arnold;  
 A bill (S. 4854) granting an increase of pension to Cassius B. Fisher;  
 A bill (S. 4892) granting an increase of pension to John Doherr;   
 A bill (S. 4919) granting an increase of pension to James M. White;  
 A bill (S. 4922) granting an increase of pension to Andrew C. Smith;  
 A bill (S. 5006) granting a pension to Annie P. Pinney;  
 A bill (S. 5020) granting a pension to Emma D. Goslin;  
 A bill (S. 5040) granting an increase of pension to Stephen G. Cole;  
 A bill (S. 5053) granting a pension to Deborah Edwards;  
 A bill (S. 5055) granting an increase of pension to Mary E. Phillips;  
 A bill (S. 5117) granting an increase of pension to John U. Allen;  
 A bill (S. 5123) granting an increase of pension to James C. Morrow;  
 A bill (S. 5205) granting an increase of pension to Grace E. Ash;  
 A bill (S. 5215) granting an increase of pension to Thomas L. Smith;  
 A bill (S. 5359) granting an increase of pension to Hampton B. Farmer;  
 A bill (S. 5389) granting an increase of pension to Jasper N. Acree;  
 A bill (S. 5507) granting an increase of pension to Jarrot F. Rigg;  
 A bill (H. R. 9063) to refund certain taxes paid by the Anhauser-Busch Brewing Association, of St. Louis, Mo.;  
 A bill (H. R. 12508) granting an increase of pension to James Jones;  
 A bill (H. R. 15767) to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania; and  
 A bill (H. R. 17247) granting a pension to Mary H. Rumble.

## ARMY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, and asking for a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. QUARLES. I move that the Senate still further insist upon its amendments to the bill and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL were appointed.

Mr. CULLOM. I move that the Senate adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 19, 1903, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate February 18, 1903.*

## COMMISSIONER OF CORPORATIONS.

James Rudolph Garfield, of Ohio, to be Commissioner of Corporations in the Department of Commerce and Labor, to fill an original vacancy.

## PROMOTIONS IN THE ARMY.

*Medical Department.*

1. Lieut. Col. John D. Hall, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, February 13, 1903, vice Brown, retired from active service.

2. Maj. Henry S. Kilbourne, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, February 13, 1903, vice Hall, promoted.

3. Capt. Joseph T. Clarke, assistant surgeon, to be surgeon with the rank of major, February 13, 1903, vice Kilbourne, promoted.

## PROMOTIONS IN THE NAVY.

1. Passed Assistant Paymaster Ulysses G. Ammen, to be a paymaster in the Navy, from the 28th day of April, 1902, vice Paymaster John C. Sullivan, promoted.

2. Assistant Paymaster Trevor W. Leutze, to be a passed assistant paymaster in the Navy, from the 28th day of April, 1903, vice Passed Assistant Paymaster Ulysses G. Ammen, promoted.

3. Assistant Paymaster McGill R. Goldsborough, to be a passed assistant paymaster in the Navy, from the 1st day of June, 1902, vice Passed Assistant Paymaster Abel B. Pierce, resigned.

4. Paymaster John R. Martin, to be a pay inspector in the Navy, from the 13th day of June, 1902, vice Pay Inspector Henry T. B. Harris, promoted.

5. Passed Assistant Paymaster George Brown, jr., to be a paymaster in the Navy, from the 13th day of June, 1902, vice Paymaster John R. Martin, promoted.

6. Assistant Paymaster David V. Chadwick, to be a passed assistant paymaster in the Navy, from the 13th day of June, 1902, vice Passed Assistant Paymaster George Brown, promoted.

7. Passed Assistant Paymaster Walter B. Izard, to be a paymaster in the Navy, from the 1st day of July, 1902, vice Paymaster Charles M. Ray, promoted.

8. Assistant Paymaster Eugene C. Tobey, to be a passed assistant paymaster in the Navy, from the 1st day of July, 1902, vice Passed Assistant Paymaster Walter B. Izard, promoted.

9. Paymaster Mitchell C. McDonald, to be a pay inspector in the Navy, from the 9th day of September, 1902, vice Pay Inspector Josiah R. Stanton, retired.

10. Passed Assistant Paymaster David Potter, to be a paymaster in the Navy, from the 9th day of September, 1902, vice Paymaster Mitchell C. McDonald, promoted.

11. Paymaster Eustace B. Rogers, to be a pay inspector in the Navy, from the 21st day of September, 1902, vice Pay Inspector Arthur Peterson, resigned.

12. Passed Assistant Paymaster Samuel Bryan, to be a paymaster in the Navy, from the 21st day of September, 1902, vice Paymaster Eustace B. Rogers, promoted.

13. Assistant Paymaster Jonathan Brooks, to be a passed assistant paymaster in the Navy, from the 21st day of September, 1902, vice Passed Assistant Paymaster Samuel Bryan, promoted.

14. Paymaster Leeds C. Keer, to be a pay inspector in the Navy, from the 28th day of September, 1902, vice Pay Inspector Lawrence G. Boggs, promoted.

15. Passed Assistant Paymaster George M. Lukesh, to be a paymaster in the Navy, from the 28th day of September, 1902, vice Paymaster Leeds C. Keer, promoted.

16. Assistant Paymaster Dexter Tiffany, jr., to be a passed assistant paymaster in the Navy, from the 9th day of November, 1902, vice Passed Assistant Paymaster Charles W. Penrose, dismissed.

17. Paymaster Richard T. M. Ball, to be a pay inspector in the Navy, from the 22d day of November, 1902, vice Pay Inspector Samuel R. Colhoun, promoted.

18. Passed Assistant Paymaster John W. Morse, to be a paymaster in the Navy, from the 22d day of November, 1902, vice Paymaster Richard T. M. Ball, promoted.

19. Assistant Paymaster Franklin P. Sackett, to be a passed assistant paymaster in the Navy, from the 22d day of November, 1902, vice Passed Assistant Paymaster John W. Morse, promoted.

20. Paymaster Charles S. Williams, to be a pay inspector in the Navy, from the 10th day of December, 1902, vice Pay Inspector James A. Ring, promoted.

21. Passed Assistant Paymaster Arthur F. Huntington, to be a paymaster in the Navy, from the 10th day of December, 1902, vice Paymaster Charles S. Williams, promoted.

22. Assistant Paymaster David M. Addison, to be a passed assistant paymaster in the Navy, from the 10th day of December, 1902, vice Passed Assistant Paymaster Arthur F. Huntington, promoted.

23. Paymaster Thomas J. Cowie, to be a pay inspector in the Navy, from the 5th day of January, 1903, vice Pay Inspector James E. Cann, promoted.

24. Passed Assistant Paymaster Harry H. Balthis, to be a paymaster in the Navy, from the 5th day of January, 1903, vice Paymaster Thomas J. Cowie, promoted.

25. Paymaster John S. Carpenter, to be a pay inspector in the Navy, from the 11th day of January, 1903, vice Pay Inspector John N. Speel, promoted.

## APPOINTMENTS IN THE NAVY.

Howard D. Lamar, a citizen of Indiana, to be an assistant paymaster in the Navy from the 17th day of February, 1903, to fill a vacancy existing in that grade on that date.

Frederick H. Lemly, a citizen of North Carolina, to be an assistant paymaster in the Navy from the 17th day of February, 1903, to fill a vacancy existing in that grade on that date.

## SURVEYOR-GENERAL.

Matthew Kyle, of Nevada, to be surveyor-general of Nevada, his term having expired. (Reappointment.)

## SECRETARY OF LEGATION AND CONSUL-GENERAL.

Paul Nash, of New York, to be secretary of the legation and consul-general of the United States at Bangkok, Siam, to fill an original vacancy.



## APPOINTMENTS IN THE ARMY.

*General officers.*

Brig. Gen. Joseph C. Breckinridge, inspector-general, to be major-general, United States Army, vice Hughes, to be retired from active service April 11, 1903.

Brig. Gen. Marshall I. Ludington, quartermaster-general, to be major-general, United States Army, vice Breckinridge, to be retired from active service.

Brig. Gen. James F. Wade, United States Army, to be major-general, United States Army, vice Ludington, to be retired from active service.

*To be second lieutenants.*

Julius S. Turrill, of Vermont (now first lieutenant, United States Marine Corps), February 17, 1903.

Walter Williamson Merrill, of Ohio, February 17, 1903.

Reginald H. Kelley, of California, February 17, 1903.

Edward Huguenin Pearce, of California, February 17, 1903.

Claude Newman Fearnster, of Texas, February 17, 1903.

Cyrus Ralph Street, of California (now a private, Sixty-seventh Company, Coast Artillery), February 17, 1903.

Clarence Alexis Eustaphie, of New York, February 17, 1903.

Joseph O. Mauborgne, of New York, February 17, 1903.

Joseph M. Cummins, of Missouri, February 17, 1903.

Thomas Ceburn Musgrave, of Texas, February 17, 1903.

Converse Rising Lewis, of Louisiana, February 17, 1903.

## PROMOTIONS IN THE ARMY.

*Cavalry Arm.*

Lieut. Col. Winfield S. Edgerly, Seventh Cavalry, to be colonel, February 17, 1903, vice Pratt, Thirteenth Cavalry, retired from active service.

Maj. Walter S. Schuyler, Second Cavalry, to be lieutenant-colonel, February 17, 1903, vice Edgerly, Seventh Cavalry, promoted.

Capt. Augustus P. Blocksom, Seventh Cavalry, to be major, February 17, 1903, vice Schuyler, Second Cavalry, promoted.

First Lieut. Alfred E. Kennington, Tenth Cavalry, to be captain, February 17, 1903, vice Blocksom, Seventh Cavalry, promoted.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 18, 1903.*

## ASSOCIATE JUSTICE SUPREME COURT, PHILIPPINE ISLANDS.

John T. McDonough, of New York, to be an associate justice of the supreme court of the Philippine Islands, provided for in the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

## MARSHAL.

Vivian J. Fagin, of Ohio, to be United States marshal for the southern district of Ohio.

## CIRCUIT JUDGE.

Willis Van Devanter, of Wyoming, to be United States circuit judge for the eighth judicial circuit.

## UNITED STATES ATTORNEYS.

John J. Boyce, of California, to be United States attorney for the district of Alaska, to be assigned to division No. 1.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana.

William B. Sheppard, of Florida, to be United States attorney for the northern district of Florida.

## APPRAISER OF MERCHANDISE.

Algernon S. Badger, of Louisiana, to be appraiser of merchandise in the district of New Orleans, in the State of Louisiana.

## SURVEYOR OF CUSTOMS.

Amor Smith, jr., to be surveyor of customs for the port of Cincinnati, in the State of Ohio.

## APPOINTMENTS IN THE NAVY.

To be passed assistant surgeons

Harold H. Haas.

William H. Bucher.

Edgar Thompson.

Elon O. Huntington.

John B. Dennis.

To be passed assistant paymasters:

George P. Dyer.

Robert H. Woods.

Robert H. Orr.

William A. Merritt.

Franklin W. Hart.

Harrison L. Robins.

Webb V. H. Rose.

William H. Doherty.

Charles Morris, jr.

Richard H. Robinson, to be an assistant naval constructor in the Navy, with the rank of lieutenant, from the 10th day of February, 1903.

## PROMOTIONS IN THE NAVY.

Capt. John R. Bartlett, United States Navy (retired), to be a rear-admiral on the retired list of officers of the Navy, from the 9th day of February, 1903, in accordance with the provisions of an act of Congress approved February 9, 1903.

Lieut. (junior grade) Rufus Z. Johnston, jr., to be a lieutenant in the Navy from the 4th day of January, 1903.

## POSTMASTERS.

## ALABAMA.

Spencer J. McMorris, to be postmaster at Wetumpka, in the county of Elmore and State of Alabama.

## IDAHO.

Dora C. Hill, to be postmaster at Shoshone, in the county of Lincoln and State of Idaho.

## INDIANA.

Stanley S. Tull, to be postmaster at Monon, in the county of White and State of Indiana.

## KENTUCKY.

Lizzie Vaupel, to be postmaster at Morganfield, in the county of Union and State of Kentucky.

## MICHIGAN.

Charles Bidwell, to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan.

## TEXAS.

William D. Rathjen, to be postmaster at Canadian, in the county of Hemphill and State of Texas.

William A. Stoner, to be postmaster at Waco, in the county of McLennan and State of Texas.

## CONSULAR CONVENTION WITH GREECE.

The injunction of secrecy was removed February 18, 1903, from a consular convention between the United States and Greece, signed at Athens on December 2, 1902.

## HOUSE OF REPRESENTATIVES.

## WEDNESDAY, February 18, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

## SABINE AND NACHEZ RIVERS, TEXAS.

The SPEAKER. The Chair desires to state to the House that in the matter of House bill 17243, which, by order of the House, was referred to the Committee on Rules to see if the RECORD needed to be corrected, that that committee has had the matter under consideration and finds that the RECORD is correct as it stands, and that the action of the House is correct, and that there is no repeal of the river and harbor bill.

## HENRY L. MCALLA.

The SPEAKER laid before the House the bill H. R. 2557, an act for the relief of Henry L. McCalla with Senate amendment.

The Senate amendment was read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment.

Mr. HAY. Mr. Speaker, I desire to be heard upon that motion.

Mr. HULL. How much time does the gentleman want?

Mr. HAY. A half an hour.

Mr. HULL. This is a Senate amendment to a House bill.

Mr. HAY. Oh, I beg the gentleman's pardon, I thought it was the conference on the Army bill.

The motion of Mr. HULL was agreed to.

## ARMY APPROPRIATION BILL.

Mr. HULL. If it is in order, I wish to call up the conference report on the Army appropriation bill—House bill No. 16567. The gentleman from Virginia [Mr. HAY], I understand, wants a little time on his question. How much?

Mr. HAY. I should like to have half an hour.

Mr. HULL. Very well. In the first place, however, I think the statement of the House conferees should be read. I ask for the reading of the statement, omitting the reading of the conference report.

The SPEAKER. The gentleman from Iowa [Mr. HULL] asks unanimous consent that the reading of the report be waived, and that only the statement of the House conferees be read. In the absence of objection that course will be pursued.

There was no objection.